



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB3826

by Rep. Robert W. Pritchard

SYNOPSIS AS INTRODUCED:

410 ILCS 625/3.05

Amends the Food Handling Regulation Enforcement Act. Provides that a non-restaurant food handler must receive training in basic safe food handling principles within 30 days of employment and every 3 years thereafter (currently, within 30 days of employment). Provides that a non-restaurant food handler who obtains American National Standards Institute-accredited training in basic safe food handling principles shall be deemed to have satisfied the training requirements of the Act. Allows the transfer of training between employers, but not individuals, if an employer uses an accredited American National Standards Institute training program. Prohibits the transfer of training between individuals or employers if an accredited American National Standards Institute training program is not used.

LRB099 07336 JLK 27447 b

1 AN ACT concerning health.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Food Handling Regulation Enforcement Act is
5 amended by changing Section 3.05 as follows:

6 (410 ILCS 625/3.05)

7 Sec. 3.05. Non-restaurant food handler training.

8 (a) All food handlers not employed by a restaurant as
9 defined in Section 3.06 of this Act, other than someone holding
10 a food service sanitation manager certificate, must receive or
11 obtain training in basic safe food handling principles as
12 outlined in subsection (b) of this Section within 30 days after
13 employment and every 3 years thereafter. There is no limit to
14 how many times an employee may take the training. A
15 non-restaurant food handler who obtains American National
16 Standards Institute-accredited training in basic safe food
17 handling principles shall be deemed to have satisfied the
18 training requirements of this Section. The training is
19 transferable between employers, but not individuals, if an
20 employer uses an accredited American National Standards
21 Institute training program. Training is not transferable
22 between individuals or employers if an accredited American
23 National Standards Institute training program is not used.

1 Proof that a food handler has been trained must be available
2 upon reasonable request by a State or local health department
3 inspector and may be in an electronic format.

4 (b) Food handler training must cover and assess knowledge
5 of the following topics:

6 (1) The relationship between time and temperature with
7 respect to foodborne illness, including the relationship
8 between time and temperature and micro-organisms during
9 the various food handling preparation and serving states,
10 and the type, calibration, and use of thermometers in
11 monitoring food temperatures.

12 (2) The relationship between personal hygiene and food
13 safety, including the association of hand contact,
14 personal habits and behaviors, and the food handler's
15 health to foodborne illness, and the recognition of how
16 policies, procedures, and management contribute to
17 improved food safety practices.

18 (3) Methods of preventing food contamination in all
19 stages of food handling, including terms associated with
20 contamination and potential hazards prior to, during, and
21 after delivery.

22 (4) Procedures for cleaning and sanitizing equipment
23 and utensils.

24 (5) Problems and potential solutions associated with
25 temperature control, preventing cross-contamination,
26 housekeeping, and maintenance.

1 (c) Training modules must be approved by the Department.
2 Any and all documents, materials, or information related to a
3 restaurant or business food handler training module submitted
4 to the Department is confidential and shall not be open to
5 public inspection or dissemination and is exempt from
6 disclosure under Section 7 of the Freedom of Information Act.
7 Any modules complying with subsection (b) of this Section and
8 not approved within 180 days after the Department's receipt of
9 the business application shall automatically be considered
10 approved. If a training module has been approved in another
11 state, then it shall automatically be considered approved in
12 Illinois so long as the business provides proof that the
13 training has been approved in another state. Training may be
14 conducted by any means available, including, but not limited
15 to, on-line, computer, classroom, live trainers, remote
16 trainers, and certified food service sanitation managers.
17 Nothing in this subsection (c) shall be construed to require a
18 proctor. There must be at least one commercially available,
19 approved food handler training module at a cost of no more than
20 \$15 per employee; if an approved food handler training module
21 is not available at that cost, then the provisions of this
22 Section 3.05 shall not apply.

23 (d) The regulation of food handler training is considered
24 to be an exclusive function of the State, and local regulation
25 is prohibited. This subsection (d) is a denial and limitation
26 of home rule powers and functions under subsection (h) of

1 Section 6 of Article VII of the Illinois Constitution.

2 (e) The provisions of this Section apply beginning July 1,
3 2016. From July 1, 2016 through December 31, 2016, enforcement
4 of the provisions of this Section shall be limited to education
5 and notification of requirements to encourage compliance.

6 (Source: P.A. 98-566, eff. 8-27-13.)